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09/882,996	06/14/2001	Matthew S. Chang	450103-02822	9832

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EXAMINER	
SHELEHEDA, JAMES R	
ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/882,996	CHANG ET AL.	
	Examiner	Art Unit	
	James Sheleheda	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-52 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-52 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. Claims 45 and 46 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claimed set of computer instructions, indicated in claims 45 and 46, consist solely of Functional Descriptive Material. Such "descriptive material" is not a process, machine, manufacture or composition of matter.

To properly claim computer programming, it must be contained on some sort of storage medium.

See MPEP § 2106.

2. To expedite a complete examination of the instant application the claims rejected under 35 U.S.C 101 above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 112

3. Claims 9 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The current invention describes receiving a designation signal while a program segment (such as broadcast audio or video) is being output (see specification at page 10, lines 3-22 and page 14, lines 1-13). Further, a designation signal may be received upon reading or viewing an advertisement (using a barcode reader; page 13, lines 10-13).

The disclosure as originally filed does not describe wherein a portion of the program segment being output comprises a "print advertisement". As the only program segments which are being *output* are audio or video signals, it is unclear how a portion of this program segment could constitute a print advertisement.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4, 5, 7, 8, 10-16, 22, 25, 26, 28, 29, 31-37 and 43-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Mackintosh et al. (Mackintosh) (6,317,784).

As to claim 1, Mackintosh discloses a method of designating a video clip to be downloaded (column 4, line 62-column 5, line 6), comprising the steps of:

receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

determining a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

downloading said determined video clip (column 13, lines 45-67 and column 10, lines 31-56).

As to claim 4, Mackintosh discloses wherein said determined video clip is downloaded and played back employing a device other than a set top box (user equipment, 112, Fig. 3; column 16, line 65-column 17, line 36).

As to claim 5, Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment (column 9, lines 8-34).

As to claim 7, Mackintosh discloses wherein said program of said program segment comprises an audio music program segment from a radio channel (column 8, lines 33-65).

As to claim 8, Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment (column 8, lines 32-65) from an audio cable channel (column 8, lines 51-57).

As to claim 10, Mackintosh discloses wherein said portion of said program segment comprises a computer program (column 9, line 61-column 10, line 17).

As to claim 11, Mackintosh discloses the step of automatically determining one or more commercials corresponding to said determined video clip (column 11, lines 9-16).

As to claim 12, Mackintosh discloses wherein said one or more commercials are determined based upon a viewing history of a user (based upon the last viewed selection; column 11, lines 9-16).

As to claim 13, Mackintosh discloses wherein said one or more commercials are determined based upon a designation history of a user (based upon the last viewed selection; column 11, lines 9-16).

As to claim 14, Mackintosh discloses wherein said one or more commercials are stored on a storage device (column 10, line 55- column 11, lines 9-16).

As to claim 15, Mackintosh discloses the step of downloading data relating to said portion of said program segment (column 13, lines 45-67 and column 10, lines 18-54).

As to claim 16, Mackintosh discloses the step of storing said downloaded determined video clip (column 16, lines 37-48, column 6, lines 20-34 and column 19, lines 8-40).

As to claim 22, Mackintosh discloses an apparatus for receiving and replaying a video clip (column 4, line 62-column 5, line 6), comprising the steps of:

a designation interpreter (column 13, lines 57-67) for receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

a determination device (column 10, lines 5-18) for determining a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

a receiving device (column 10, lines 47-63) for downloading said determined video clip (column 13, lines 45-67 and column 10, lines 31-56).

As to claim 25, Mackintosh discloses wherein said determined video clip is downloaded and played back employing a device other than a set top box (user equipment, 112, Fig. 3; column 16, line 65-column 17, line 36).

As to claim 26, Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment (column 9, lines 8-34).

As to claim 28, Mackintosh discloses wherein said program of said program segment comprises an audio music program segment from a radio channel (column 8, lines 33-65).

As to claim 29, Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment (column 8, lines 32-65) from an audio cable channel (column 8, lines 51-57).

As to claim 31, Mackintosh discloses wherein said portion of said program segment comprises a computer program (column 9, line 61-column 10, line 17).

As to claim 32, Mackintosh discloses the step of automatically determining one or more commercials corresponding to said determined video clip (column 11, lines 9-16).

As to claim 33, Mackintosh discloses wherein said one or more commercials are determined based upon a viewing history of a user (based upon the last viewed selection; column 11, lines 9-16).

As to claim 34, Mackintosh discloses wherein said one or more commercials are determined based upon a designation history of a user (based upon the last viewed selection; column 11, lines 9-16).

As to claim 35, Mackintosh discloses wherein said one or more commercials are stored on a storage device (column 10, line 55- column 11, lines 9-16).

As to claim 36, Mackintosh discloses wherein said receiving device downloads data relating to said portion of said program segment (column 13, lines 45-67 and column 10, lines 18-54).

As to claim 37, Mackintosh discloses a storage device for storing said downloaded determined video clip (column 16, lines 37-48, column 6, lines 20-34 and column 19, lines 8-40).

As to claim 43, Mackintosh discloses a method for designating a program segment to be downloaded (column 4, line 62-column 5, line 6), comprising the steps of:

receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

transmitting a request for a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

downloading said video clip (column 13, lines 45-67 and column 10, lines 31-56).

As to claim 44, Mackintosh discloses an apparatus for receiving and replaying a video clip (column 4, line 62-column 5, line 6), comprising the steps of:

a designation interpreter (column 13, lines 57-67) for receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

a transmitting device (column 10, lines 5-18) for transmitting a request a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

a receiving device (column 10, lines 47-63) for downloading said video clip (column 13, lines 45-67 and column 10, lines 31-56).

As to claim 45, Mackintosh discloses a set of computer program instructions for designating a video clip to be downloaded (column 4, line 62-column 5, line 6 and column 19, line 59-column 20, line 31), comprising the steps of:

an instruction for receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

an instruction for determining a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

an instruction for downloading said determined video clip (column 13, lines 45-67 and column 10, lines 31-56).

As to claim 46, Mackintosh discloses a set of computer program instructions for designating a program segment to be downloaded (column 4, line 62-column 5, line 6 and column 19, line 59-column 20, line 31), comprising the steps of:

an instruction for receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

an instruction for transmitting a request for a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

an instruction for downloading said video clip (column 13, lines 45-67 and column 10, lines 31-56).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 2, 3, 6, 17, 23, 24, 27, 42 and 47-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackintosh.

As to claim 2, while Mackintosh discloses wherein said determined video clip is downloaded for future playback (column 16, lines 37-48 and column 6, lines 20-34 and column 19, lines 8-40), he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 3, while Mackintosh discloses wherein said portion of said program segment is music or a video (column 5, lines 7-18), he fails to specifically disclose a music video.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention to provide music videos, such as typically shown on MTV, etc..., which relate to popular songs currently available, for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a music video for the

typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

As to claim 6, while Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment from a disc (column 8, line 66-column 9, line 7), he fails to specifically disclose a compact disc (CD).

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a compact disc (CD), which conform to the widely utilized red book standard for the storage of audio data, to store and replay music, for the typical benefit of utilizing widely recognized and compatible compact disc which conform to the red book standard.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a compact disc for the typical benefit of utilizing widely recognized and compatible compact disc which conform to the red book standard.

As to claim 17, while Mackintosh discloses storing said downloaded determined video clip, he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of

utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 23, while Mackintosh discloses an apparatus, he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 24, while Mackintosh discloses wherein said portion of said program segment is music or a video (column 5, lines 7-18), he fails to specifically disclose a video music clip.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention to provide music videos, such as typically shown on MTV, etc..., which relate to popular songs currently available, for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a video music clip for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

As to claim 27, while Mackintosh discloses wherein said portion of said program segment comprises an audio music program segment from a disc (column 8, line 66-column 9, line 7), he fails to specifically disclose a compact disc (CD).

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a compact disc (CD), which conform to the widely utilized red book standard for the storage of audio data, to store and replay music, for the typical benefit of utilizing widely recognized and compatible compact disc which conform to the red book standard.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a compact disc for the typical benefit of utilizing widely recognized and compatible compact disc which conform to the red book standard.

As to claim 42, while Mackintosh discloses wherein said downloaded determined video clip is stored (column 16, lines 37-48, column 6, lines 20-34 and column 19, lines 8-40), he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 47, while Mackintosh discloses storage medium storing instructions which, when executed on a programmed processor in a receiver (column 5, lines 18-37), carry out the steps of:

receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

determining a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

downloading said determined video clip (column 13, lines 45-67 and column 10, lines 31-56), he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 48, while Mackintosh discloses storage medium storing instructions which, when executed on a programmed processor in a receiver (column 5, lines 18-37), carry out the steps of:

receiving a designation signal (user selection of a button; column 13, lines 57-67) while a program segment is being output (column 13, lines 45-67);

transmitting a request for a video clip corresponding to a portion of said program segment (column 10, lines 5-17) upon receipt of said determination signal (column 13, lines 57-67); and

downloading said video clip (column 13, lines 45-67 and column 10, lines 31-56), he fails to specifically disclose a set top box.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a set top box as a television receiver, which are smaller and cheaper than typical computer systems, for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a set top box for the typical benefit of utilizing a small, inexpensive box, which can be conveniently set on or near a television, as a receiver.

As to claim 49, while Mackintosh discloses a method for designating a video clip to be downloaded (column 4, line 62-column 5, line 6), comprising the steps of:

receiving a designation signal (user selection of a button; column 13, lines 57-67) while a broadcast program segment having an identifier corresponding to a video clip (column 10, lines 5-17 and lines 31-63) is being output (column 13, lines 45-67);

obtaining a complete version of said video clip corresponding to said identifier (column 10, lines 5-17 and lines 31-63) upon receipt of said determination signal (column 13, lines 57-67); and

downloading said complete version of said video clip (column 13, lines 45-67 and column 10, lines 31-56), he fails to specifically disclose a video music segment.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention to provide music videos, such as typically shown on MTV, etc...,

which relate to popular songs currently available, for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a video music segment for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

As to claim 50, Mackintosh discloses wherein the complete version is obtained regardless of when during the broadcast the video segment the designation signal is received (wherein the user may request the content at any time; column 13, lines 45-67).

As to claim 51, Mackintosh discloses an apparatus for receiving and replaying a video clip (column 4, line 62-column 5, line 6), comprising the steps of:

a designation interpreter (column 13, lines 57-67) for receiving a designation signal (user selection of a button; column 13, lines 57-67) while a broadcast program segment having an identifier corresponding to a video clip (column 10, lines 5-17 and lines 31-63) is being output (column 13, lines 45-67);

a device (column 10, lines 5-18) for obtaining a complete version of said video clip (column 10, lines 5-17 and lines 31-63) upon receipt of said determination signal (column 13, lines 57-67); and

a receiving device (column 10, lines 47-63) for downloading said complete version of said video clip (column 13, lines 45-67 and column 10, lines 31-56), he fails to specifically disclose a music video segment.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention to provide music videos, such as typically shown on MTV, etc..., which relate to popular songs currently available, for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a music video segment for the typical benefit of providing the user with highly popular, widely known programming, such as typical music videos.

As to claim 52, Mackintosh discloses wherein the complete version is obtained regardless of when during the broadcast the video segment the designation signal is received (wherein the user may request the content at any time; column 13, lines 45-67).

8. Claims 18-21 and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackintosh as applied to claims 1 and 23 above, and further in view of Shanahan (6,496,692).

As to claims 18 and 38, while Mackintosh discloses downloading a determined video clip, he fails to specifically disclose a device for determining a format of said video clip.

In an analogous art, Shanahan discloses a system for downloading video clips to a user (Fig. 1; column 1, line 55-column 2, line 14) wherein the system will determine a format for the downloaded video clip (determining the format required for the user's device; column 4, lines 11-29 and column 6, lines 50-65) for the typical benefit of ensuring that downloaded video is in a format compatible with the user's device (column 4, lines 11-29 and column 6, lines 50-65).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include a device for determining a format of said video clip, as taught by Shanahan, for the typical benefit of ensuring that downloaded video is in a format compatible with the user's device.

As to claims 19 and 39, Mackintosh and Shanahan disclose downloading said determined video clip in the determined format (see Shanahan at column 6, lines 50-65).

As to claims 20 and 40, Mackintosh and Shanahan disclose converting the downloaded determined video clip to the determined format (see Shanahan at column 4, lines 11-29).

As to claim 21 and 41, Mackintosh and Shanahan disclose receiving a format selection for said determined video clip (column 6, lines 50-65), and wherein the format determining step determines the format based upon the format selection (see Shanahan at column 6, lines 50-65).

9. Claims 9 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackintosh as applied to claims 1 and 22 above, and further in view of Schena et al. (Schena) (6,448,979).

As to claims 9 and 30, while Mackintosh discloses downloading a video clip corresponding to a program segment, he fails to specifically disclose wherein the program segment comprises a print advertisement.

In an analogous art, Schena discloses a communications system (Fig. 1; column 3, lines 39-48) wherein a user will scan a code from a print advertisement (column 3, lines 58-63 and column 5, lines 38-45) which are utilized to determine a video to download (column 6, lines 37-49 and column 2, lines 6-8) for the typical benefit of providing a convenient means to link common printed media to additional enhancing content (column 1, lines 35-58).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Mackintosh's system to include wherein the program segment is a print advertisement, as taught by Schena, for the typical benefit of providing a convenient means to link common printed media to additional enhancing content.

Conclusion

10. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

on _____.
(Date)

Typed or printed name of person signing this certificate:

_____

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. ( )_____ - _____ on _____.
(Date)

Typed or printed name of person signing this certificate:

_____

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Sheleheda
Patent Examiner
Art Unit 2617

JS

VIVEK SRIVASTAVA
PRIMARY EXAMINER